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*Attorneys for Defendants AliphCom and Bodymedia,
Inc.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

FITBIT, INC.

Plaintiff,

v.

ALIPHCOM d/b/a JAWBONE and
BODYMEDIA, INC.

Defendants.

Case No: 5:16-cv-00118-BLF

**NOTICE OF MOTION AND MOTION TO
WITHDRAW AS COUNSEL FOR
DEFENDANTS ALIPHCOM d/b/a
JAWBONE AND BODYMEDIA, INC.**

DATE: January 18, 2018
TIME: 9:00 a.m.
PLACE: Courtroom 3, 5th Floor

TO THE COURT AND ALL ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that on January 18, 2018 at 9:00 a.m., or as soon thereafter as the matter can be heard in Courtroom 3, 5th floor of the United States District Court for the Northern District of California, located at 280 South 1st Street, San Jose, California, Marton Ribera Schumann & Chang LLP, counsel for Defendants, will move this Court for an Order allowing Marton Ribera Schumann & Chang LLP to withdraw as counsel of record in this matter.

MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANTS

Pursuant to Federal Rule of Civil Procedure 24(c) and Civil Local Rule 11-5 all attorneys listed below from Marton Ribera Schumann & Chang LLP move for withdrawal as counsel for Defendants AliphCom d/b/a Jawbone and BodyMedia, Inc. ("Jawbone") in the above-captioned case.

Counsel is moving for withdrawal for professional reasons. Pursuant to Civil Local Rule 11-5, counsel has provided Jawbone with notice of its intent to withdraw. Jawbone does not oppose counsel's request for withdrawal, but requests a stay of pending court deadlines, including the currently scheduled September 1, 2017 claim construction hearing, to allow Jawbone sufficient time to assess how to proceed.

Counsel informed Plaintiff Fitbit, Inc. of counsel's intent to withdraw on August 10, 2017. Fitbit did not indicate whether it had any opposition to this request. Counsel's withdrawal will not cause any prejudice to Fitbit. Currently, other than the September 1, 2017 claim construction tutorial and hearing, the only court deadlines are set for 2020. *See* Dkt. 122. This motion is made in good faith and not for the purposes of delay or any other improper purposes. Counsel makes this motion for withdrawal in the interest of justice and as stated, welcomes a conference to address any of the Court's concerns.

Dated: August 18, 2017

Respectfully submitted,

MARTON RIBERA SCHUMANN & CHANG LLP

By: /s/ Carolyn Chang
Carolyn Chang

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CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2017, I caused to be electronically filed the foregoing Notice of Motion and Motion to Withdraw with the Clerk of the Court via CM/ECF. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing systems.

Dated: August 18, 2017

By: /s/ Carolyn Chang
Carolyn Chang